

**PROPOSED AMENDMENTS
TO THE
PERSONNEL POLICIES AND PROCEDURES MANUAL
FOR THE
FIVE COUNTY ASSOCIATION OF GOVERNMENTS
Approved 17 January 2007**

Proposed on 10 March 2010

J. GRIEVANCE POLICY AND PROCEDURES

A grievance is defined as any dispute or complaint arising between an employee and the AOG. It is Five County's policy to address employee's grievances promptly and fairly and to treat all employees fairly.

There may be circumstances where an employee believes he/she has been treated unfairly. A grievance may also exist when an employee feels dissatisfied with some aspect of his/her employment over which he/she has no control and for which he/she desires action. Employees who have grievances created by work situations have the right to submit such grievances for orderly disposition.

In coordination with the discipline and performance improvement policy, an employee may express a grievance to their Program Director and shall be assured freedom from discrimination, coercion, restraint or reprisal. The steps for resolving grievances are outlined below:

Step (1)

1. Verbal to Program Director

The employee with a complaint or grievance should verbally communicate such grievance to his/her Program Director. The employee should clearly identify the problem and suggest possible solutions to the Program Director.

All grievances shall be communicated within five working days after they occur or after the most recent incident concerning the grievance, in order for the grievance to be considered. The Program Director has five working days to report back to the employee with a solution or answer. The employee, after having received a solution or an answer back from their Program Director, has five working days to appeal if they are not satisfied with the results.

Step (2)

2. Written to Program Director

If the grievance is not resolved with the verbal communication to the Program

Director within the time allowed for in Step (1), a written grievance will be submitted to the Program Director with a copy to the Human Resources Coordinator ~~Director~~ for personnel action documentation. The solution or answer to the employee from the Program Director and/or Executive Director should be in written form.

The Program Director and the Executive Director have five working days to review the appeal. The employee, after having received a solution or an answer back from the Program Director and/or the Executive Director, has five working days to appeal if they are not satisfied with the results.

Step (3)

3. Appeal to Grievance Committee

If still unsatisfied and the grievance is not resolved with the written communication to the Program Director and the Executive Director within the time allowed for in Step (2), an appeal to the Grievance Committee may be submitted by the employee.

The Grievance Committee shall consist of four members appointed by the Executive Director and confirmed by the Steering Committee. The committee shall consist of: one (1) elected official within Five County, who shall serve as chair; one (1) appointed Program Director; and two (2) other Five County employees. Employees of the Association may recommend fellow employees to the Executive Director for appointment to the Grievance Committee. The Executive Director and Program Director against which the grievance has been filed cannot participate on the Grievance Committee.

If any member of the Grievance Committee has a direct conflict of interest with the appeal, that member may so state at the beginning of the appeal process and request that he/she be replaced. If the employee believes that a conflict of interest exists with a member of the Grievance Committee, the employee may request that that member of the Grievance Committee be replaced by another Committee Member.

The appeal should include a copy of the written grievance, copies of any supporting documentation, along with the recommendations for a solution.

The Grievance Committee shall meet as needed to discuss and hear appeals from the employee and the Program Director. The committee shall have five working days after having received the appeal to determine if a hearing should be held.

If the committee determines that a hearing is not justified, it will recommend a solution to the employee and the Program Director. ~~The recommendation of the Grievance Committee is final.~~

At the hearing the employee or the employee's representative shall establish the

basis of their grievance. The Program Director will also review their findings with the Grievance Committee. All information to be presented should be in writing and provided to the Grievance Committee before the hearing. The committee shall receive all information and may ask questions and gather information as it deems appropriate.

The Grievance Committee shall render a written decision **Report of Findings** to the employee and the Program Director within five working days of the conclusion of the hearing. ~~Their decision shall be final.~~

Step (4)

4. Review by Executive Committee

If a satisfactory agreement is not reached between the employee and the Grievance Committee, the Human Resources Director shall send the written grievance, along with the Report of Findings compiled by the Grievance Committee, to the Executive Committee of the Steering Committee of the Five County Association of Governments for their conclusions and recommendations.

The decision of the Executive Committee will be binding from the Association of Governments' point of view. Conclusions and recommendations shall be final within the Association of Governments.